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# Office of Employee Appeals

FY 2002 Proposed Operating Budget: \$1,540,000  
FY 2002 Proposed Capital Budget: \$0

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The Office of Employee Appeals renders legally sufficient, impartial, timely decisions on appeals in which District government employees have challenged decisions regarding adverse actions, reductions in force, performance evaluations, and classifications of positions.

**The FY 2002 proposed operating is \$1,540,000, an increase of \$105,805, or 7.4 percent, over the FY 2001 approved budget.**

## Budget Summary

The FY 2002 proposed operating budget for the Office of Employee Appeals (OEA) is \$1,540,000, an increase of \$105,805, or 7.4 percent, over the FY 2001 approved budget (table CH0-1). The budget supports 15.5 full-time employees (FTEs), an increase of 0.5 FTE over FY 2001 (table CH0-2).

## Strategic Issue

The OEA will reduce the average time necessary to resolve an appeal.

## FY 2002 Initiative

The OEA will develop and implement a plan to reduce the average time to resolve an appeal.

## Agency Background

The OEA was established in 1978 by the District of Columbia Comprehensive Merit Personnel Act. The OEA board comprises five members, each of whom has a demonstrated knowledge of personnel management and labor relations. The board receives and reviews appeals of the hearing

examiners' initial decisions and renders written opinions and orders on whether the initial decisions are legally sound.

## Programs

The OEA is a quasi-judicial agency charged with hearing and adjudicating appeals filed by District government employees. The appeals process is established by statute and implemented by OEA's rules.

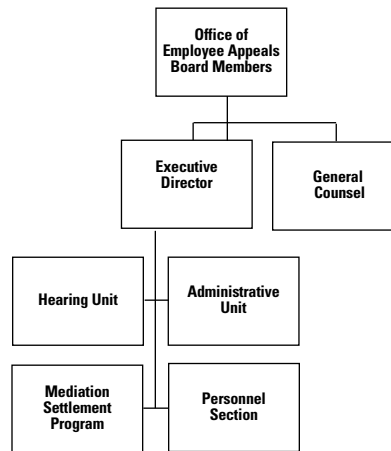
The OEA hears appeals from District government employees challenging an agency's final decisions on (1) a performance rating resulting in the employee's termination; (2) an adverse action for cause resulting in the employee's termination, a reduction in grade, or a suspension of 10 days or more; or (3) a reduction in force. The OEA also offers a mediation program geared toward avoiding the protracted litigation common in personnel disputes.

The OEA achieves its mission through three functions:

**Evidentiary Hearings.** The OEA is the forum for an employee's initial hearing on an appeal. The hearing examiners conduct evidentiary

Figure CH0-1

## Office of Employee Appeals



hearings in which parties present witnesses and other evidence, and they review the testimony and evidence and render a written initial decision.

**Board Opinions and Orders.** If the initial decision is appealed to the OEA Board, the Office of the General Counsel prepares a written opinion and order for the board. Opinions and orders may be appealed to the D.C. Superior Court and the D.C. Court of Appeals.

**Mediation.** The OEA provides mediation that offers an informal means of helping parties resolve disputes without resorting to formal litigation. All OEA hearing examiners have received mediation training.

Figure CH0-1 is the organizational chart for OEA.

### Funding Summary

The proposed FY 2002 local budget for the OEA is \$1,540,000, an increase of \$105,805, or 7.4 percent, over the FY 2001 approved budget. The OEA receives 100 percent of its funding from local sources. Of this net increase, personal services increased by \$109,086, and nonpersonal services decreased by \$3,281.

The increase in personal services is designed to align the personal services budget with current authorized staffing levels. The net decrease in nonpersonal services represents a \$22,903 decrease in telecommunications and rent, a \$5,000 net

increase in contractual and other services and charges, and a \$14,622 net increase in equipment and supplies, which will include funding for the purchase of a computerized index system. Refer to the FY 2002 Operating Appendices (bound separately) for details.

### Trend Data

Table CH0-3 and figure CH0-2 show expenditure and employment histories for FY 1998–FY 2002.

### Agency Goals and Performance Measures

#### Goal 1. Reduce the backlog of appeals.

*Citywide Strategic Priority Area:* Making government work

*Manager:* Warren M. Cruise, Esq., Executive Director

*Supervisor:* Warren M. Cruise, Esq., Executive Director

#### Measure 1.1: Number of initial decisions issued

	Fiscal Year				
	1999	2000	2001	2002	2003
Target	320	320	320	320	320
Actual	326	348	-	-	-

#### Goal 2. Issue Opinions and Orders on petitions for review.

*Citywide Strategic Priority Area:* Making government work

Table CH0-1

**FY 2002 Proposed Operating Budget, by Comptroller Source Group**

(dollars in thousands)

Office of Employee Appeals

	<b>Actual FY 2000</b>	<b>Approved FY 2001</b>	<b>Proposed FY 2002</b>	<b>Change from FY 2001</b>
Regular Pay - Cont. Full Time	835	865	915	50
Regular Pay - Other	44	33	50	17
Additional Gross Pay	9	0	0	0
Fringe Benefits	114	114	156	42
Unknown Payroll Postings	-39	0	0	0
<i>Subtotal Personal Services (PS)</i>	<i>963</i>	<i>1,012</i>	<i>1,121</i>	<i>109</i>
Supplies and Materials	8	9	9	0
Communications	9	23	9	-14
Rental - Land and Structures	255	285	275	-9
Security Service	0	5	5	
Other Services and Charges	24	44	30	-13
Contractual Services	54	35	48	13
Equipment and Equipment Rental	26	27	42	15
<i>Subtotal Nonpersonal Services (NPS)</i>	<i>376</i>	<i>422</i>	<i>419</i>	<i>-3</i>
<b>Total Proposed Operating Budget</b>	<b>1,339</b>	<b>1,434</b>	<b>1,540</b>	<b>106</b>

Table CH0-2

**FY 2002 Full-Time Equivalent Employment Levels**Office of Employee Appeals

	<b>Actual FY 2000</b>	<b>Approved FY 2001</b>	<b>Proposed FY 2002</b>	<b>Change from FY 2001</b>
Continuing full time	13	13	15	2
Term full time	1	2	0.5	-1.5
<b>Total FTEs</b>	<b>14</b>	<b>15</b>	<b>15.5</b>	<b>0.5</b>

Table CH0-3

**FY 2002 Proposed Operating Budget, by Revenue Type**

(dollars in thousands)

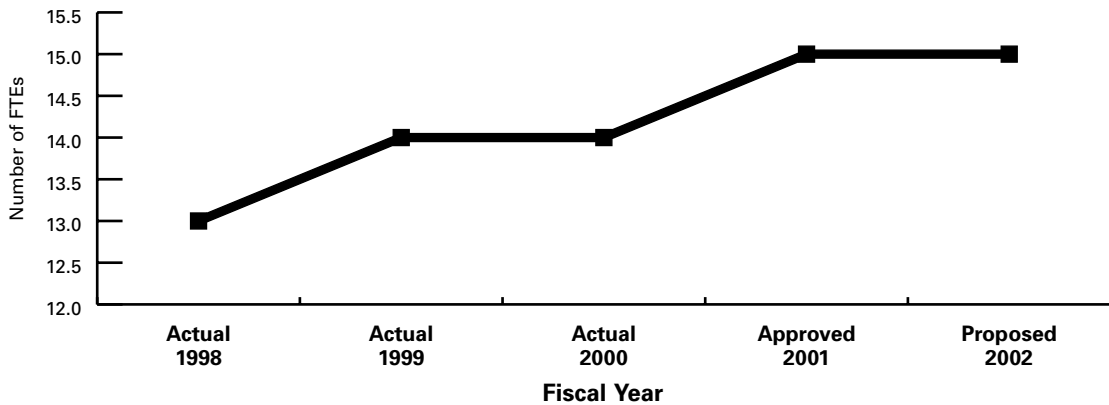
Office of Employee Appeals

	<b>Actual FY 1998</b>	<b>Actual FY 1999</b>	<b>Actual FY 2000</b>	<b>Approved FY 2001</b>	<b>Proposed FY 2002</b>
Local	974	1,159	1,339	1,434	1,540
<b>Gross Funds</b>	<b>974</b>	<b>1,159</b>	<b>1,339</b>	<b>1,434</b>	<b>1,540</b>

Figure CH0-2

## Office of Employee Appeals' Employment Levels, FY 1998–Proposed FY 2002

(gross FTEs)



*Manager:* Harley J. Daniels, Esq., General Counsel

*Supervisor:* Harley J. Daniels, Esq., General Counsel

### Measure 2.1: Number of Opinions and Orders (on petitions for review) issued

	Fiscal Year				
	1999	2000	2001	2002	2003
Target	55	40	40	30-40	30-40
Actual	60	40	-	-	-

### Goal 3. Encourage employees and agencies to mediate rather than adjudicate or litigate.

*Citywide Strategic Priority Areas:* Making government work

*Manager:* Warren M. Cruise, Esq., Executive Director

*Supervisor:* Warren M. Cruise, Esq., Executive Director

### Measure 3.1: Number of mediations conducted

	Fiscal Year				
	1999	2000	2001	2002	2003
Target	55	55	15	15	15
Actual	2	12	-	-	-

Note: FY 1999 actual figure was lower than expected because the program was suspended to make procedural changes from October 1998 through September 1999.